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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,124	11/15/2001	Frank Leymann	DE920000003US1	5285

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EXAMINER
OYEBISI, OJO O

ART UNIT	PAPER NUMBER
3692	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/003,124

Applicant(s)

LEYMANN ET AL.

Examiner

OJO O. OYEBISI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

In the amendment filed on 11/13/2006, the following have occurred: Claims 1 and 4-5 have been amended, the abstract has been amended, and claims 1-11 are pending.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Skarpelos et al (Skarpelos hereinafter, US PAT: 6,041,420).

**Re claims 1, 2.** Skarpelos discloses a computerized method for writing audit trails in a Workflow-Management-System (WFMS), said method being executable by said WFMS on at least one computer system, said method comprising the steps of: assigning a plurality of audits trails as potential targets for an audit trail records (i.e., A fault tolerant computer system distributes audit trail files ontaining audit records, across an arbitrary number of disk volumes. After one audit trail file becomes full, audit records are directed toward a next audit trail file stored on a different disk volume, see abstract, see col.2 lines 1-65, also see col.3 line 40-col.4 line 25), and assigning an audit trail distribution strategy to said WFMS, the audit trial distribution strategy determining which of said potential targets to be used for writing said audit trail record (i.e., In

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accordance with the invention, a fault tolerant computer system distributes audit trail files containing audit records across an arbitrary number of disk volumes. After one audit trail file becomes full, audit records are directed toward a next audit trail file stored on a different disk volume. Storage of newly generated audit trail records rotates through the available disk volumes see col.2 lines 1-10), and for a current audit trail record, dynamically analyzing for a current audit trail record said distribution strategy and determining a current target from said parallel audit trails, and writing said current audit trail record to said current target (see col.2 lines 35-55) (see the summary of the invention and col.3 line 40-col.4 line 25).

**Re claim 3.** Skarpelos further discloses a method, wherein associating said each WFMS instance is accomplished according to a round-robin scheme with said plurality of audit trails (see abstract).

**Re claims 4-6.** Skarpelos further discloses a computerized method for writing audit trails in a Workflow-Management-System (WFMS), said method being executable by said WFMS on at least one computer system, said method comprising the steps of: assigning a multitude of audits trails as potential targets for one or more audit trail records to said WFMS (see the abstract), and assigning an audit trail distribution strategy to said WFMS (i.e., In accordance with the invention, a fault tolerant computer system distributes audit trail files containing audit records across an arbitrary number of disk volumes. After one audit trail file becomes full, audit records are directed toward a next audit trail file stored on a different disk volume. Storage of newly generated audit trail records rotates through the available disk volumes see col.2 lines 1-10), comprising

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a specification which of said potential targets to be used for writing said audit trail record, and dynamically analyzing for a current audit trail record said distribution strategy and determining a current target from said multitude of audit trails, and writing said current audit trail record to said current target (see col.2 lines 35-55), wherein said step of assigning said distribution strategy comprises a PROCESS-specification in a process model associating said process model with an audit trail of said plurality of audits trails (i.e., The term "process" refers to a stream of activity defined by an ordered set of machine instructions defining the actions that the process is to take and the set of data values that it can read, write, and manipulate. Multiple processes may run concurrently and asynchronously within a fault tolerant computer system, see col.3 lines 36-46).

**Re claim 7.** Skarpelos further discloses a method, wherein said specification comprising an evaluable expression, and wherein said step of dynamically analyzing comprising evaluating said evaluable expression using a variable value not comprised in said process model but being comprised in a context of a process instance of said process model to determine said current target (see col.5 lines 40-65).

**Re claim 8.** Skarpelos further discloses a method wherein said specification comprises a definition of a level of details to be comprised by an audit trail record (see col.6 lines 16-23)

**Re claims 9.** Skarpelos further discloses a Workflow-Management-System (WFMS) executable on at least one computer system, the WFMS comprising means adapted for carrying out the steps of the method according to anyone of the preceding claims 1 to 8

(see col.4 lines 30-65).

**Re claims 10-11.** Claims 10 and 11 recite similar limitations to claim 9 and thus rejected using the same art and rationale as in claim 9.

### ***Response to Arguments***

3. Applicant's arguments filed on 11/13/06 have been fully considered but they are not persuasive. The applicant argues in substance that the primary reference, Skarpelos, fails to teach the limitation "a plurality of audit trails are assigned, as a potential target, for an audit trail record. Contrary to the applicant's assertion, the examiner submits that Skarpelos teaches: a fault tolerant computer system distributes audit trail files containing audit records across an arbitrary number of disk volumes (see the abstract and the summary of the invention). Skarpelos further teaches: "a multi-volume audit trails" which are audit trails in which consecutive files reside on different disk volumes managed by different ADPs. An audit generator sends currently generated audit to an ADP that manages a "current audit trail file" belonging to an audit trail assigned to the audit generator. In the context of the present invention, an "audit trail configuration management process" prepares the next current audit trail file in an audit trail's sequence of files. A "rollover" is a transition from using a current audit trail file which has become full to using the next audit trail file in the audit trail's sequence (see col.4 lines 15-25). Thus these teachings, described hereinabove, by Skarpelos constitute what the applicant describes as "a plurality of audit trails are assigned, as a potential target, for an audit trail record."

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **OJO O. OYEBISI** whose telephone number is (571) 272-8298. The examiner can normally be reached on 8:30A.M-5:30P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD E. CHILCOT** can be reached on (571)272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in dark ink, appearing to read "James Kramer". The signature is stylized with a large, looping initial "J" and a horizontal line extending from the middle of the name.

1/22/07

James Kramer